

AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON JANUARY 21, 2021 AT 4:00 P.M.,  
THE FOLLOWING PROCEEDING WAS HAD, VIZ:

**Present:** Brenda Holt, Chair, District 4  
Dr. Anthony “Dr. V” Viegbesie, Vice Chair, District 2  
Eric Hinson, District 1 – appeared remotely  
Kimblin NeSmith, District 3  
Ronterious “Ron” Green, District 5  
Edward J. Dixon, County Administrator  
Sean Pittman, County Attorney  
Opal McKinney-Williams, County Attorney  
Clayton Knowles, County Attorney – appeared remotely  
Marcella Blocker, Deputy Clerk  
Hannah Pope, Clerk’s Office

**INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Holt welcomed everyone to the Special Meeting, asked for a moment of silence and then led in the Pledge of Allegiance to the U. S. Flag.

**Amendments and approval of Agenda**

Mr. Dixon asked to move Item 5 to Item 2; to pull Item 2-Public Hearing- Consideration of Adoption of Ordinance 2020-005 to amend Section 7001.1, by repealing the ‘Citizens Growth Management and Planning Bill of Rights’ (LDR 2020-001) and reschedule the item for the next Board meeting on February 2, 2021. He explained it was because of the crisis the County had and the need to close the County offices due to threats during the Presidential Inauguration and the time constraints on re-advertising, they were moving this item. He stated he would like to add 6a – Approval to Confirm the Assistant County Administrator and add 6b – Approval for AIG TankGuard Renewal Application on Policy FPL007512097.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER GREEN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS AMENDED.**

**Awards, Presentations and Appearances**

**CONSENT**

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER GREEN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

- 1. Approval and Signatures for Special Assessment Liens State Housing Initiative Partnership Program (SHIP) (Down Payment and Closing Cost Assistance Program)**

**Items Pulled for Discussion**

**CITIZENS REQUESTING TO BE HEARD (3-Minute Limit)**

***Due to COVID-19 and the efforts of the Gadsden County Board of County Commissioners to continue the practice of social distancing, Commissioners want to continue to hear from citizens under the Citizens Requesting to be Heard section of the agenda.***

***If citizens have any questions, comments, or concerns, please email***

***[CitizensToBeHeard@gadsdencountyfl.gov](mailto:CitizensToBeHeard@gadsdencountyfl.gov) and anticipate receiving a response within 48 hours.***

***The Board of County Commissioners would like to thank everyone for their patience and flexibility during this time.***

Chair Holt read aloud the Covid statement.

Marion Lasley submitted an email and Chair Holt read it aloud.

**PUBLIC HEARING:**

**2. ~~PUBLIC HEARING (Legislative) Consideration of Adoption of Ordinance 2020-005 to amend Section 7001.1, by repealing the ‘Citizens Growth Management and Planning Bill of Rights’ (LDR 2020-02)~~**

Pulled

**2. Addendum to Agreement for Legal Services** (Moved to Item 2)

Mr. Dixon introduced the above item and stated the Addendum would add Opal McKinney-Williams to the Agreement to provide legal services.

Commissioner Viegbesie pointed out there might be Citizens requesting to be heard.

Chair Holt stated she would get to that in a minute. She then read aloud the COVID-19 statement. She later went back to “Citizens Requesting to Be Heard”.

**Sean Pittman, President and CEO of Pittman Law Group**, appeared before the Board. He stated this item would make an amendment to add Opal McKinney-Williams to provide legal services to the County. To do so technically, they would need to add her to the original contract and this amendment would do so.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE AND COMMISSIONER GREEN MADE THE SECOND.**

Chair Holt said to Mr. Pittman that she had mentioned to him the wording that it would be “one or” and the word “and” meant a lot. Mr. Pittman explained each attorney had an hourly amount next to their name of the hourly rate that they charged.

Chair Holt explained she was saying if there was an issue, the way the wording was could be an issue if they went over the 50 hours; the wording would matter if you said at 50 hours that all would receive but it would be only paying for the one that was doing the work.

Mr. Pittman said she was correct.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**GENERAL BUSINESS**

**3. Approval of the Security Force Southeast, LLC Contract Extension**

Mr. Dixon introduced the above item and stated it was for Board approval to continue the contract for one year. He said the fiscal impact would be \$32.95 a month for the monitoring rate and was budgeted.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE AND COMMISSIONER GREEN MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**4. Appointment to the Northwest Florida Business Development County, Inc. d/b/a Opportunity Florida Board**

Mr. Dixon introduced above item and stated this was to appoint a representative to serve on the Opportunity Florida Board. He stated it was an economic development engine that included Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, Walton North and Washington counties. Each Commission shall appoint one individual to represent their county.

**COMMISSIONER VIEGBESIE NOMINATED COMMISSIONER NESMITH TO BE THE REPRESENTATIVE AND COMMISSIONER GREEN MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**5. Addendum to Agreement for Legal Services** (Moved to Item 2)

**6. Discussion and Approval of the Extension of the Family First Coronavirus Response Act (FFCRA)**

Mr. Dixon introduced above item and said it was for discussion and approval from the Board regarding the extension of Family First Coronavirus Response Act.

**COMMISSIONER GREEN MADE A MOTION TO APPROVE AND COMMISSIONER VIEGBESIE MADE THE SECOND.**

Chair Holt asked for more information regarding this item because people were not getting the information.

Mr. Dixon said this would provide:

- Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay due to the employee being quarantined
- Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay due to having to care for an individual being quarantined;
- Up to an additional 10 weeks of paid leave under the Family Medical Leave Act (FMLA) at two-thirds the employee's rate of pay (such that the employee has been employed for at least 30 days) to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Chair Holt said this was the perfect way to get the information out.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**6a Approval to Confirm the Assistant County Administrator**

Mr. Dixon introduced the above item and stated it was for Board confirmation of the employment of the Assistant County Administrator, Georgette Daniels, currently employed with Miami Beach. He stated she had an extensive background in Finance and Budget and would bring a wealth of knowledge and expertise along with her knowledge of what was happening in Washington with the CARES Act.

Commissioner Viegbesie asked if he had evaluated and was comfortable with this person and this was who he believed could work with the team and Mr. Dixon said yes.

Commissioner NeSmith asked the timeframe she was to start. Mr. Dixon stated early February.

Commissioner Green said he was glad to see this. He said he did a little research of his own and felt this was a great move and a great addition to the team.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE AND COMMISSIONER GREEN MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

Mr. Dixon wanted the Board to understand this meant a lot; they had four that interviewed and all were outstanding and he was trying to get them here as fast as he could. He added that “the calmness, the focus that you bring to these meetings really allows me to do my job really well and attract folks”.

**6b Approval for AIG TankGuard Renewal Application on Policy FPL007512097**

Mr. Dixon introduced the above item and stated it was for Board approval for the renewal application agreement for the insurance policy on fuel tanks located at the Sheriff’s Office, Jail and Public Works. He stated the policy had been floating for a while and needed to get done to make sure the tanks stay insured.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE AND COMMISSIONER GREEN MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**CLERK OF COURT**

**7. Updates**

The Clerk’s Office was not asked for any update.

**County Administrator**

**8. Updates**

**County Attorney**

**9. Updates**

Mr. Pittman thanked them for their confidence in adding another attorney to their team. He congratulated Mr. Knowles on the birth of their daughter.

Commissioner Viegbesie pointed out Clerk Updates was overlooked and Chair Holt said the Clerk not present and was why she did not address Clerk's issue.

**Discussion by Commissioners**

**10. Commissioner Eric Hinson, District 1**

Commissioner Hinson said he wanted to have the Attorney give a brief synopsis of the Clerk's email, what had transpired and the outcome. He also asked for a copy of bids and RFP qualifications of what must be done for bids and RFP's; he wanted all the steps and processes that had to be done.

He said he heard some rumblings and read the letter the Clerk sent out, was awe struck because in his humble opinion, they have some competent attorneys that would pick that up and it could not be true. They were saying the corporation did not have all his "ducks in a row" and wanted to know if it was true on record so they could move forward.

**Commissioner Kimblin NeSmith, District 3**

Commissioner Nesmith said to discuss briefly what Commissioner Hinson mentioned, he was sure everyone was aware of the letter from the Clerk. He said there was quite a bit of chatter in the community; he had received calls from citizens concerned not only with that information but other dialogue that took place as a result of that letter. He thought they needed to stay on top of the agreement as they move forward. He added there were several residents in his district that was not aware of this service and they need to come up with a plan or process to inform the community of this available resource.

He also thanked the Administrator for meeting with him earlier to address some of his concerns.

**Commissioner Ronterious Green, District 5**

Commissioner Green welcomed Ms. McKinney-Williams.

He said he wanted transparency and wanted people to know what was going on. Things have transpired regarding the contract and he also received multiple calls. He wanted to see FCI back on the agenda at their next meeting, not for pulling it, but so they could add transparency and hoped the Clerk would be in attendance or someone on his behalf that could represent him to have all levels of communication and clarity as it related to this contract that has seemed to be such a debacle in so many different areas. He said everyone was concerned and was a matter of importance in his view.

He also encouraged citizens to come to the meeting or send in their concerns so they could be addressed in a professional manner.

**Commissioner Anthony O. Viegbesie, District 2**

Commissioner Viegbesie said he also received calls from citizens and wished the Clerk was here today to help them understand the last part of the Memo with regards to the non-existence of that particular entity they were in contract with. He also called the attorney for his legal opinion regarding the validity to the statutes that were referenced. The Attorney found two corporations; one was FCI, Inc. with a dot and other is FCI, Inc with no dot. He said both

companies could not exist with the Department of State and FCI dissolved one of the corporations. He looked at the contract and it was signed with the corporation having a “dot”, which was the valid one. The attorney gave his legal opinion as to what the issue was and hoped the Clerk was present so the conversation could be had but since he was not, he hoped he would be present in the future so the differences could be discussed and resolved.

Commissioner Hinson said they had two attorneys here, could they expound on this.

Mr. Pittman addressed the Board and said to the third issue, it was their opinion it was a non-issue. The contract between FCI and the County was legal, they contracted with a legal entity and there was some issue with the period behind the “inc” but even in a situation where there is a typographical error, it was not material as far as their opinion was concerned. If the commission wanted to talk more about the Clerk’s memo, they would continue but that was a repeated and lingering issue that he was hearing.

Commissioner Green asked about CARES Act money and if they knew when they would receive another draw-down from the CARES Act funding.

Mr. Dixon said it was not one pot, there was “a whole lot of pots of money”; the draw-downs were happening continuously. He added they might be in a large pot of money or might be a small pot; it was based on when the State was reviewing, once it was reviewed, they send it down.

Commissioner Green stated he knew it was going into General Funds; however, would they still make readily available some of the funds to people that have been impacted.

Mr. Dixon said according to their figures, they will have money at the end of the program that they may re-allocate to a program they were working now to try to fashion out and address some of those needs.

Chair Holt said only 12 counties in the State received all of their funds from the Federal Government; the other counties had to draw down funds. Gadsden County has never received all of the CARES Act money and when the Governor was here, she asked him what happened when small counties could not draw down and he advised her to get with Secretary Jarred Moskowitz (Director of FDEM) about the draw-down. She did and he said he had a way they could get the money and he sent back memos about the draw-down. She said some counties lost their money because they could not draw it down. She said the citizens were thinking the County received all the money but that was not the case; they were waiting on the third phase. Mr. Dixon said there was a second phase of CARES program coming and most places will be a direct benefit-counties under 250,000 will not, which meant they would have to go through the State process again but it may not be as difficult to go through and may not require as much documentation. He said they would have to apply to the State again.

Chair Holt said the documentation has to be there. If anyone really wanted to know what was paid, they could do a public records request at the Courthouse and could then see what has been paid out. She added the Board did not give out or receive one penny of money, the County contracted with Integrity that checked the applications.

**PPP Loans**

She stated the Board did not do loans. She further stated people could go to their financial institutions and apply for a loan.

Commissioner Hinson said he was glad she was talking about honesty and truth; he thought they had honest people on Board. He asked if they have to re-bid the CARES Program again? He said there had been rumblings across the county and street committee talking how the County paid GCDC \$240,000 and talking big about one contract.

Chair Holt said they would need to be in a workshop to determine how to go forward. She added that right now, there was no money to discuss because there was no draw-down.

Chair Holt added that she knew they spend taxpayer's money but the CARES Act money came from the federal government; Gadsden County did not have a "dog in that fight". The County accepted what they could get from the federal government and was trying to figure out how they could get more money.

Commissioner Viegbesie said his only comment at this point was in relation to the Clerk's memo and wanted the Clerk to be present to answer questions and wanted to ask of the attorney regarding the memo. Due to a meeting scheduled after this meeting, he said he would hold back his questions with regard to the merit in each of those aspects of that memo. He said what he heard in response to the memo was the Clerk had some kind of over-reach with regards to the validity of the contract and the provider of the service, whether it was a defunct business or an existing business but there were other aspects of the memo that has legal ramifications and wanted the attorney to provide a legal opinion of the statutes that were stated. He added that he hoped the Clerk would be present at least to explain himself because the Commissioner did not think every aspect of that memo was an over-reach.

Commissioner NeSmith asked the Administrator if there was a balance on the CARES Act money. Mr. Dixon said yes and he would make that available. Commissioner NeSmith asked if other counties did not receive their money and had we applied for those funds and was told yes.

Mr. Dixon responded the County submitted a request for \$2.7 Million over and above the amount that they were granted just in case they wanted to give out more money and the justification was already there in case they wanted to re-allocate those counties' money. He clarified that the County was set up to receive \$7.9 Million and sent \$2.7 Million additional dollars of information in case they wanted to give out more money.

Chair Holt said they justified that by showing what they had been spending and it was county-wide. She reiterated that PPP loans were out there; they just had to apply.

Commissioner Hinson said he spoke with healthcare officials regarding vaccines throughout County. Chair Holt said for him to address that with the Administrator.

**Commissioner Brenda A. Holt, District 4**

Gadsden County Board of County Commissioners  
January 21, 2021 – Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 4:59 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**BRENDA A. HOLT, Chair**  
**Board of County Commissioners**

**ATTEST:**

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**NICHOLAS THOMAS, Clerk**